



# **CITY COUNCIL AGENDA REPORT**

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MEETING DATE: JUNE 5, 2007

ITEM NUMBER:

**SUBJECT: AUTHORIZATION OF REFUND REQUESTS FOR UNEXPENDED FUNDS FROM DEVELOPERS' TRUST ACCOUNT FOR ENVIRONMENTAL CONTRACTS**

**DATE: MAY 7, 2007**

**FROM: DEVELOPMENT SERVICES DEPARTMENT/PLANNING DIVISION**

**PRESENTATION BY: DONALD D. LAMM, AICP, DEPUTY CITY MANAGER/DEV. SVS DIRECTOR**

**FOR FURTHER INFORMATION CONTACT: DONALD D. LAMM, AICP, (714) 754-5270**

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## **RECOMMENDATION:**

1. Authorize refunds in the amount of **\$5,749.65** to the Irvine Company and **\$6,815.00** to each of the five North Costa Mesa high-rise residential developers for unexpended funds in Developers' Trust Account No. 215520-701.

## **BACKGROUND:**

Pursuant to a professional services agreement, developers are required to deposit funds for the cost of environmental consulting contracts into the Developers' Trust Account No. 215520-701. These funds are strictly used to complete environmental studies as set forth in the contract.

On December 6, 2005, City Council approved an environmental consulting contract to Culbertson, Adams and Associates, Inc. in the amount of \$391,094. This contract was for the preparation of a Program Environmental Impact Report for the North Costa Mesa high-rise developments.

On December 6, 2005, City Council approved an environmental consulting contract to Camp Dresser & McKee Inc. in the amount of \$43,708.00. This contract was for the preparation of the Initial Study/Mitigated Negative Declaration for the Irvine Company Apartment Communities Master Plan to develop an 890-unit apartment complex.

## **ANALYSIS:**

Finance staff has reconciled the funds in the Developer's Trust Account to ensure accuracy of the refund amount. The following environmental contracts have been completed, and the remaining unexpended balance is to be refunded to the Developers pursuant to Council Policy 100-1:

- Camp Dresser & McKee, Inc. began contract work in January 2005. The contract work has been completed with a balance remaining of \$5,749.65. (Refund Request Form, Attachment 1).

- Culbertson, Adams and Associates Inc. began contract work in January 2005. The environmental contract was completed in February 2007 with a balance remaining of \$34,075.00. (Refund Request Forms, Attachment 2-6).

### **ALTERNATIVES CONSIDERED:**

This is an administrative transaction pursuant to Council Policy No. 100-1. Alternatives to this action would be inconsistent with the refund request procedures set forth in this Council Policy.

### **FISCAL REVIEW:**

Fiscal review is not required.

### **LEGAL REVIEW:**

Legal review is not required.

### **CONCLUSION:**

Pursuant to Council Policy 100-1, staff is requesting Council authorization of refund requests for unexpended contract funds for completed consultant contracts with the Irvine Company/Camp Dresser & McKee and the North Costa Mesa high-rise residential developers/Culbertson Adams & Associates.

  
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Attachments: Refund Request Forms for:

1. Irvine Company
2. Maguire Properties
3. Fifield Realty Corp
4. Stockbridge/MCC-South Coast Plaza, LLC
5. South Coast Plaza
6. Orange County Museum of Art

cc: City Manager  
Asst. City Manager  
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Finance Director  
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City Clerk (2)  
Staff (4)  
File (2)

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File Name: 060507RefundRequest	Date: 050707	Time: 1:00 p.m.
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